

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

JAN 30 2015

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Petra Chavanna-Grosso *PRINCIPAL* **United States**

A206 894 540 **YOB: 1984**

Case Number:

M-15-0146-M

Victor Arnulfo Chavanna *CO-PRINCIPAL* **United States-Naturalized**

A206 894 539 **YOB: 1959**

Miguel Angel Grosso-Villareal *CO-PRINCIPAL* **United States**

A206 894 538 **YOB: 1967**

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about January 28, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Leonel Vidal-Contreras, a citizen and national of Guatemala, and Concepcion Adalberto Villalta-Chavez, a citizen and national of El Salvador, along with thre (3) other undocumented aliens, for a total of five (5), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) **FELONY**

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On January 28, 2015, at approximately 6:40 am, McAllen Border Patrol Agents observed two rafts carrying approximately ten to fifteen subjects across the Rio Grande River, near an area known as Avocado Landing in Los Ebanos, Texas. Agents notified the Rio Grande City AEROSTAT (ALPHA1) surveillance system to scan the area. The agent working aerostat observed five to six subjects running westbound across Felix Martinez Avenue toward a residence approximately 200 yards from the Rio Grande River, and has been suspected of previously being used as a stash house. Agent Tinder stated there were muddy footprints crossing the road, westbound, towards a residence . He also stated that he had fresh mud on the top of the fence at this residence which indicated to agents the group had entered the property by jumping the fence.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

approved by
NSH/KVG

Signature of Complainant

Jeremiah Abrego **Senior Patrol Agent**

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

January 30, 2015

Date

9:02 am

at McAllen, Texas

City and State

Peter E. Ormsby, U. S. Magistrate Judge

Name and Title of Judicial Officer

Peter E. Ormsby
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-15-0146-M

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CONTINUATION:

Two subjects, later identified as Miguel GROSSO-Villarreal and Petra CHAVANNA-Grosso, exited the residence and approached the Agents who were standing outside the fence. The agents requested permission to enter the residence to search for suspected illegal aliens. Petra CHAVANNA told agents they could search the property but not the residence, due to her elderly father who was inside. Agents searched the property, but were unable to locate any illegal aliens or evidence of anyone leaving the property in the same manner as they entered.

NOTE: A gold Ford minivan was parked at the residence.

Agent Lebron returned later and conducted surveillance on the residence from inside the brush across the street. Agent Lebron observed Miguel GROSSO-Villarreal periodically walking to the street and looking north and south, apparently searching for law enforcement's presence.

Approximately one hour later, a red Ford Explorer arrived at the residence. A subject, later identified as Victor Arnulfo CHAVANNA (Petra CHAVANNA's brother), exited the vehicle and made contact with Petra CHAVANNA and Miguel GROSSO-Villarreal. Victor CHAVANNA, then backed the Explorer up close to the house. Five subjects wearing dark clothing and muddy pants then exited the residence and boarded the red Ford Explorer. Miguel GROSSO-Villarreal was observed giving instructions and using hand signals to direct the five subjects into the Explorer.

Petra CHAVANNA then boarded the driver's seat of the gold minivan, and Victor CHAVANNA boarded the passenger seat of the gold minivan. Both vehicles left in tandem and drove north towards Highway 83.

Agents performed a vehicle stop on the red Ford Explorer. All five subjects admitted to being illegally in the United States. Agents were able to later locate the gold minivan in La Joya, Texas. Agents who were present at the house at the initial encounter, arrived and identified Petra CHAVANNA and Victor CHAVANNA as the same people they saw earlier and the same people agents saw come out of the house with the 5 illegal aliens.

Both subjects were transported to the McAllen Border Patrol Station for processing.

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CONTINUATION:

PRINCIPALS' STATEMENTS:

All three principals were read their rights. All three agreed to provide statements without the presence of an attorney.

1- Petra CHAVANNA-Grosso admitted to harboring/transporting illegal aliens for profit. She stated she needed the money and was going to guide some illegal aliens to an unknown location in Mission, Texas. She stated the illegal aliens were in her brother's truck. (Victor Arnulfo CHAVANNA) She was to be paid \$400 (USD) per alien. CHAVANNA told agent she was not ready for the aliens yet because of the large law enforcement presence, but the coordinator became impatient and sent the aliens anyway. After the illegal aliens showed up unexpectedly, her brother Victor showed up. Her brother told her they needed to get them quickly and safely, so they planned to guide them to where they need to go. CHAVANNA told the aliens not say they knew her if they were caught. She also told them to hide in the bathroom when Border Patrol showed up at her house. CHAVANNA told agents it has been 2 or 3 years since the last time she has participated in alien smuggling.

2- Victor Arnulfo CHAVANNA told agents that his brother-in-law (Miguel GROSSO-Villareal) asked to use his truck to transport some illegal aliens. CHAVANNA also stated that GROSSO has made this same request twice before. According to CHAVANNA, GROSSO has been involved in aliens smuggling for at least 2 years. CHAVANNA stated the illegal aliens were following he and his sister (Petra CHAVANNA) in his vehicle.

3- Miguel GROSSO-Villareal notified agents, while he admits to being involved in alien smuggling, it was only on this occasion. GROSSO told agents that after they the Border Patrol Agents left his property at approximately 6:00 am, his brother-in-law showed up and became angry that there were illegal aliens in his house. According to GROSSO, Victor CHAVANNA stated that he would rather lose his truck than let the illegal aliens stay in his house. Victor CHAVANNA then instructed GROSSO to load the five illegal aliens into his truck, and Petra and her brother then guided them using the gold minivan.

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CONTINUATION:

MATERIAL WITNESSES' STATEMENTS:

Both material witnesses were read their rights. Both were willing to provide statements without the presence of an attorney.

1-Leonel Vidal-Contreras told agents he was charged \$3,300 (USD) to be smuggled to Houston, Texas. The guide who crossed his group across the Rio Grande River, told them to run towards the street and look for a house with Christmas lights illuminated and an archway on the house. The guide also told them there would be a woman outside on a cell phone, waiving them in. When they saw the house, they jumped the fence and ran through an open door. When they entered the house, a man identified as Miguel GROSSO-Villareal, yelled at them saying, "Why didn't you wait for the signal!?" According to Vidal, Miguel was wearing cowboy boots, shorts, and a T-shirt. A woman identified as Petra CHAVANNA-Grosso, also asked the group the same question.

Additionally, Vidal told agents that while he was sitting in the station, Petra CHAVANNA walked by him and told him in Spanish, that this was going to cost him. Vidal thinks she is mad because of the supposed error the group made. Petra kept the group in the bathroom while Border Patrol was there. After Border Patrol left, Petra kept asking the group over and over why they didn't wait for the signal.

Vidal told agents they stayed there until Petra called a man named Victor. During the phone conversation, Petra told Victor to come over, because she need help to move some people. When Victor arrived at the house, he told Petra to calm down until the situation cooled off a bit.

After a while Petra pointed at Vidal and told him he would be driving her brother's truck loaded with the other illegal aliens. They then boarded the Explorer and followed Petra and Victor in the gold minivan.

2- Concepcion Adalberto Villalta-Chavez stated he was charged \$5,000 (USD) to be smuggled into the United States. A river guide told one of the smuggled aliens where to go once they crossed the river. After the group crossed, they crossed a paved road and jumped a fence of a house with an open door. Villalta stated he thought the door was open specifically for them to run in. He told agents the two people inside the house, identified as Petra CHAVANNA and Miguel GROSSO were both mad at them for not waiting for the signal. According to Villalta, Petra's brother arrived to help take them north because there was too much law enforcement in the area. Petra's husband, Miguel told the group to board the red Explorer and to get ready to leave.